

REMARKS

This Amendment is being filed in response to the Office Action mailed February 29, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-3, 5-8 and 10-11 remain in this application, where claims 4, 9 and 12 have been canceled without prejudice, and claims 1 and 6 are independent.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice. Further, the specification has been amended for better conformance to U.S. practice.

By means of the present amendment, claims 1-3, 5-8 and 10-11 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A' and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1-3, 5-8 and 10-11 were not made in order to

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address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to the drawings because of lack of labels in FIG 1. In response, labels have been added to FIG 1. Further, reference numeral 2 has been included pointing to the circle receiving the speech signal (SS) arrow, in conformance with the specification, such as page 5, line 14. A replacement sheet including FIG 1 is enclosed. Applicant respectfully requests approval of the enclosed proposed drawing changes and withdrawal of the drawing objection.

In the Office Action, the Examiner suggested adding headings to the specification. Applicant gratefully acknowledges the Examiner's suggestion, however respectfully declines to add the headings as they are not required in accordance with MPEP §608.01(a), and could be inappropriately used in interpreting the specification.

In the Office Action, the Examiner objected to claims 1-5 for certain informalities. Without agreeing with the Examiner, and in the interest of advancing prosecution, claims 1-3 and 4 have been amended to remove the informalities noted by the Examiner, and

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claim 4 has been canceled without prejudice. Accordingly, withdrawal of the objection to claims 1-5 is respectfully requested.

In the Office Action, claims 1 and 6 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the Examiner, and in the interest of advancing prosecution, claims 1 and 6 have been amended to remove the alleged informality noted by the Examiner. It is respectfully submitted that the rejection of claims 1 and 6 has been overcome and an indication as such is respectfully requested.

In the Office Action, claims 11-12 are rejected under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. Without agreeing with the Examiner, and in the interest of furthering the prosecution and expediting allowance of the present Application, claim 12 has been canceled without prejudice, and claim 11 has been amended for better form that more clearly recites statutory subject matter. It is respectfully requested that the rejection of claims 11-12 under 35 U.S.C. §101 has been overcome and withdrawal of this rejection is respectfully requested.

In the Office Action, claims 1-3, 6-8 and 11-12 are rejected

under 35 U.S.C §102(e) as allegedly anticipated by U.S. Patent No. 6,611,802 (Lewis). Further, claims 4 and 9 are rejected under 35 U.S.C §103(a) as allegedly unpatentable over Lewis in view of U.S. Patent No. 7,092,496 (Maes). Claims 5 and 10 are rejected under 35 U.S.C §103(a) as allegedly unpatentable over Lewis in view of U.S. Patent Application Publication No. 2002/0152071 (Chaiken). It is respectfully submitted that claims 1-3, 5-8 and 10-11 are patentable over Lewis, Maes and Chaiken for at least the following reasons.

As correctly noted on page 7, first paragraph, of the Office Action, Lewis does not teach or suggest changing a playback speed in dependence of the confidence level information, as recited in independent claims 1 and 6. Maes is cited in an attempt to remedy the deficiencies in Lewis.

Maes is directed to a method and apparatus for processing information signals based on detected content, such as a telephone number. As specifically recited on column 5, lines 16-23, the detected content is used to

slow down or speed up, during playback, only the portion of the original speech signal that contains the detected content. (Column 5, lines

21-23, emphasis added)

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 6, amongst other patentable elements recites (illustrative emphasis provided):

wherein the playback means change a playback speed during the acoustic playback in dependence of the confidence level information.

Changing playback speed based on confidence level information is nowhere taught or suggested in Lewis, Maes, and combination thereof. Rather, any such combination discloses to change playback speed based on detected content. Chaiken is cited to allegedly show other features and does not remedy the deficiencies in Lewis and Maes.

Accordingly, it is respectfully submitted that independent claims 1 and 6 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 1-3, 5, 7-8 and 10-11 should also be allowed at least based on their dependence from independent claims 1 and 6.

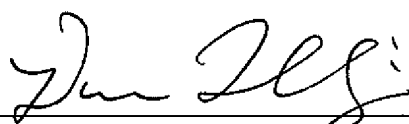
In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the

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foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: Replacement drawing sheet (1 sheet including FIG 1)

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